

USDA State Technical Committee Meeting  
USDA State Office Conference Room  
Bangor, ME  
September 17, 2013

Meeting Minutes

Attendees: See attached list

Opening

NRCS State Conservationist Juan Hernandez opened the meeting and welcomed participants.

As we reach the end of Fiscal Year 2013, Maine NRCS received a small piece of the sequestration. As a result, Maine NRCS received \$7 million less in 2013 than in 2012 -- 28.4 million vs. 21.4 million. We spent 98% of the dollars that were given to us, therefore returning little to nothing.

Q: Why was there a \$7 million reduction in sequestration in Maine?

A. Maine was at an 8% reduction, which was across the board. In 2012 the base was \$21 million, and we pursued a significant amount of additional funding from many sources, which brought us up to \$28 million. This year there was no money to seek. There was money left over in the Wetland Reserve Program, but that is not a popular program in Maine, so we didn't seek additional dollars in that program. There was no additional funding in the Environmental Quality Incentives Program.

One of our noteworthy accomplishments in 2013 is the on-farm energy initiative. Maine NRCS went from 4 contracts in 2012 to 26 contracts in 2013. One change to the program this year was that we offered the program to maple syrup production producers. When maple syrup producers see things on the ground through this effort, there will be more potential clients coming through the doors.

Maine NRCS is handling a substantial workload. We are averaging 48 contracts per individual in field offices. In the Midwest, most states are seeing 12-14 up to 20 contracts per individual. We are very pleased with our efforts. But you in this room are my gauge. I encourage you to pick up the phone and let me know if you have concerns or recommend changes.

There are rumblings about the New England/New York Initiative. This initiative has been bringing to Maine a significant amount of dollars -- \$2.5 million in 2013 -- but it may not be coming to us in 2014. This could have a direct impact on what we have been doing in forestry in Maine. But we will not walk away from forestry; therefore, it could have an impact on cropland, irrigation, etc., because we will need to feed forestry with existing funds. Not the \$2.5 million, but a share of it. It is too early to determine the impact. But just a heads up that it is likely that the initiative will be gone, but Maine NRCS plans to allocate some funds for forestry.

## Review of State Technical Committee

Chris Jones, Assistant State Conservation for Special Projects, reviewed the function of the State Technical Committee (STTC), which is to advise USDA and conservation programs (NRCS and FSA). The Maine State Technical Committee website is located at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/me/technical/stc/>. This site contains all the information and documents regarding the STTC. There are various forms and documents for potential new members, listing of all members, prior meeting minutes, and documents presented at the meetings. He encouraged the members to outreach to other groups and individuals who are interested in natural resource concerns in Maine and encourage them to fill out an application.

**Chris Jones asked the members to review the handout that lists the members of the STTC, which can be found [here](#). Please let Chris know if you want the individuals that are listed for your group removed or if you want individuals added to your group.**

Chris also asked that if they have agenda items that they want at a future STTC Meeting, to please let him know at any time.

## Forestry Subcommittee Recommendations

Chris Jones stated that the Forestry Subcommittee was formed and they met and developed recommendations that will be presented today. Your role is to listen to their recommendations and ultimately make recommendations on this issue to the State Conservationist.

Andy Shultz of the Maine Forest Service stated that the subcommittee discussed the issue of where and when Access Roads and Trails and Landings should be eligible for NRCS financial assistance. See attached document "Report and recommendations from the State Technical Committee-Forestry Subcommittee Meeting 8/14/13" for the list of recommendations.

Juan Hernandez stated that it was his intent to have policy in place by the beginning of fiscal year 2014. NRCS has met with private industry, Technical Service Providers, District Conservationists, etc. on this topic. Investments have been significant in the implementation of access roads. But there will not be enough dollars available to continue funding this forestry resource concern as in the past, so where can we get the biggest bang for the buck. Where should we put our emphasis?

There are two subcommittees now...irrigation and forestry. They work quite well and they are able to go deep, and have a vested interest in area of concern.

Q. What does the Forestry subcommittee mean by "model" in #4 of their recommendations?

A. The Forestry subcommittee did not discuss, but we are talking about a decision model, not a construction model.

Fred Seavey recommended that "decision" be placed in front of "model" under #4.

The topic of stream crossings, fish passage and aquatic organism passage was discussed as it relates to “restoring hydrology” in #1. Discussion was also held on temporary vs. permanent measures. NRCS can do temporary measures, but that’s not what NRCS is known for. When we build a road, we build a road. We are talking forestry, and many of the fish passage projects are in forestland. We don’t want to build a road for wildlife, as some roads have been built in the past.

Laughlin Titus made the following recommendations:

1. #1 to read “No NRCS Financial Assistance for new permanent Forest Access Roads...” and “...restoring hydrology/wetland functions/aquatic organic passage”.

John Banks asked whether the last sentence of #1 “Exception to the prohibition is Tribal lands” included whole projects or only the portion that is on tribal land. Some of their projects start on non-tribal land in order to get to tribal land.

Chris Jones made the recommendation that it be reworded to be “Tribal projects”.

Q: What if projects are legally required as a result of an enforcement action?

- A. NRCS does not fund projects that are required due to an enforcement action, everything NRCS funds is voluntary. We will have to look at program policy to see if it’s okay for NRCS to fund a project if part of it is voluntary and part is the result of an enforcement action.

**Update:** Per current EQIP policy, any practice that a producer is likely to apply without EQIP financial assistance, such as practices a producer is required to implement due to violation of a federal, state, or local law or regulation, are ineligible for contracting. Therefore, Maine NRCS will not contract any practice that a producer is required to do as a result of a violation, but will allow participation by the producer for practices that would be applied voluntarily and that are in no way connected to the required actions or would cause further violation activity.

The committee approved of the subcommittee’s recommendations with the following changes:

1. No NRCS Financial Assistance for new permanent Forest Access Roads or new Forest Trails and Landings, unless a waiver is granted from State Conservationist. Such waivers will be considered in cases when re-locating access roads or forest trails and landings is a better or more cost-effective alternative to solving a Water Quality-Sedimentation resource concern or restoring hydrology, wetland functions, aquatic organic passage, and threatened and endangered species. Exception to the prohibition is Tribal projects.
2. NRCS financial assistance for Access Roads or Forest Trails and Landings will be only for rehabilitation of existing access roads or trails and landings where NRCS planner can confirm the existence of a water quality resource concern. A water quality resource concern is defined as sediment entering a perennial water body; or sediment entering an intermittent stream, with potential to negatively impact a perennial water body; or a condition of the existing road, trail or landing that is impairing hydrologic or wetland functions.

3. NRCS financial assistance will only be provided on specific sections of access roads or forest trails or landings that need rehabilitation to address a water quality resource concern. Water quality resource concerns shall be defined as in # 2 above.
4. NRCS staff, with assistance from State Soil Scientist and others should develop a **decision** model to be used to determine if access roads and/or forest trails and landings are impairing hydrologic or wetland functions.
5. There is a need to train NRCS Employees and Forestry TSPs in recognizing and mitigating water quality resource concerns pertaining to Access Roads and Forest Trails and Landings, especially those related to restoring hydrologic or wetland functions. The training should include information about innovative technologies such as “rock sandwiches”.

Future agenda item – temporary roads for wildlife projects.

#### Program Issues

See attached document “Maine NRCS FY 2013 Financial Assistance/Easement Program Update”.

Susan Arrants, Assistant State Conservationist for Programs, provided the Status of FY 2013 Program delivery outcomes. See first bullet of attached document. Added notes:

- Environmental Quality Incentives Program (EQIP) – National Water Quality Initiative – Nickerson Lake (Meduxnekeag River Watershed) and Alder Stream Sub-Watershed (Sebasticook Lake Watershed) were eligible. Nickerson Lake received all of the funding in 2013, for there were no eligible projects in Alder Stream Sub-Watershed. Alder Stream received the majority of the funding in 2012. Therefore, we need another watershed that has ag land and/or forestry in the watershed. Kira Jacobs from EPA stated that it would be appreciated if DEP would include watersheds that have a drinking source. An example of this is China Lake.
- Conservation Stewardship Program (CStP) For 2013: 7 contracts on Ag Land and 4 contracts on Non-industrial Private Forestland (NIPF)  
For years 2009-2012 (2008 Farm Bill era): 49 contracts on Ag Land and 85 contracts on NIPF
- Wildlife Habitat Incentives Program (WHIP) – We haven’t had a general signup for WHIP in a couple of years. This year we asked for general WHIP dollars when they had unused dollars available. General WHIP funds were sent and Maine obligated 4 aquatic habitat related contracts for a total of \$242,282. Grassland Reserve Program (GRP) – We haven’t had GRP funding for a couple of years. FSA handles the money part of the program and NRCS does the planning and implementation. We are still required to set the \$/acre that we would offer if we had funding.

#### Options for FY 2014 GRP and WRP acquisition \$/acres development

See second bullet of document “Maine NRCS FY 2013 Financial Assistance/Easement Program Update”. Susan Arrants reviewed the following:

GRP – To develop easement FY 2014 compensation that does not exceed the fair market value of the land, less the grazing value for a GRP conservation easement, there are three methods to consider. See document for these methods. **The committee concurred that Maine would offer**

**(1.c.) An individual Uniform Standards for Professional Appraisal Practice (USPAP) appraisal for GRP.**

WRP – To develop FY 2014 easement compensation values that do not exceed the fair market value of the land for a WRP conservation easement, there are three methods to consider. See attached for these methods. In FY 2013 we used (1.b.) An update of the prior year area-wide market analysis. **Because we don't have a lot of interest in this program, and we need to use a different method this fiscal year, the committee concurred to offer (1.c.) An individual Uniform Standards for Professional Appraisal Practice appraisal for WRP.**

Release of draft FY 2014 State Ranking elements for STTC review and input

See attached Ranking Criteria/Summary Sheets (8).

**Susan Arrants requested that the committee review the attached ranking sheets and submit comments on the ranking criteria back to her by no later than October 18.** The ranking sheets will also be sent out electronically.

- Farm and Ranch Lands Protection Program (FRPP) – the criteria has been this way for a few years and it has worked, but if you have comments please submit them.
- National pools – not much leeway.
- Statewide pools – state and local questions are up for comments.

Dave Bell requested that we reconvene the Irrigation Subcommittee to review and revise state issues for Irrigation and Microirrigation. The last time it was looked at was three years ago. The market place has changed as well. **Juan Hernandez said that he would reconvene the subcommittee to carry out this task.**

**Update:** The Irrigation Subcommittee will be meeting on November 13, 2013 at 10:00 a.m. in the USDA State Office Conference Room.

FY 2014 EQIP pools

Susan Arrants reviewed the attached document “Proposed ProTracts Fund Code Accounts for FY 2014”. Additional notes:

- Organic Initiative – Has national support and will probably move forward.
- High Tunnel Initiative – Does not have much national support. If it does not move forward, Maine will still have it as a practice, but will not have a separate signup.
- Yellow highlights are National initiatives and money is provided at the national level.
- Non-highlighted items are State initiatives and money is provided by individual states.
- Water conservation is for irrigation projects.
- Local pools – all include a pool for beginning farmers. Forty-three percent were devoted to beginning farmers, limited resource farmers and socially disadvantaged farmers in 2013.
- Comprehensive Nutrient Management Plans (CNMP) – Juan stated that we have a continuous flow of CNMP requests. A few years ago there was a tremendous workload

that we couldn't keep up with. We are not putting an emphasis on CNMPs because the workload is manageable and its flowing. It is fairly treated.

#### FY 2014 Payment Schedule

Susan Arrants stated that we do not have a product yet to share with you. Two years ago we started regionalization of some of the payment rates, and last year all of the payment rates were regionalized. We have the latitude to reduce a couple of them if rates are too high for Maine by adjusting the percentage of the total regionalized cost used to set the payment rate. We do not have any latitude to change the cost data that determines those rates. Conservation Activity Plan rates are set nationally. Information on payment rates will be sent to STTC when it is received and finalized.

#### Discussion of proposed use of FY 2014 Agricultural Management Assistance (AMA) funds

Susan Arrants stated that funding for this program is shared with 15 other states. For the past couple of years we have been utilizing these funds for new irrigation projects only. Susan asked the committee if we should proceed as in the past. **The committee concurred to continue using the AMA funds for new irrigation projects only.**

#### Conservation Stewardship Program (CStP)

Buster Carter, Resource Conservationist, stated that CStP has been authorized through Fiscal Year 2014. Contract funds are yearly obligations for the annual payments; the full contract cost is not obligated in the first year of the contract.

CStP is providing a potential opportunity for program participants to implement new activities on their operations using the On-Farm Research and Demonstration or Pilot Projects CSP enhancements. We are requesting input from the committee members for potentially offering this opportunity in anticipation of future CStP application funding periods.

**The committee members were asked to review the attached six documents pertaining to these On-Farm projects and provide any comments or potential projects to Susan Arrants by November 1, 2013.** These documents provide information about the activity's criteria and project requirements, including required documentation and adoption requirements.

Due to unknowns regarding FY 2014 funding and the new Farm Bill legislation being developed, this must be regarded only as a potential opportunity at this time.

#### Revision of the State Off-Site Methods for Wetland Determination

Greg Granger, NRCS Soil Resource Specialist, reviewed the recommended changes to the "Maine NRCS State Off-Site Methods for Wetland Determination" document (see attached). We do not do many off-site evaluations in Maine, because the majority of the time we can go to the site. **It was requested that the committee members review the changes to this document and submit comments to Chris Jones by close of business on September 23 so that it can become effective on October 1, 2013 (Fiscal Year 2014).**

#### Agenda Items for Next Meeting

- Temporary vs. permanent roads – definition.
- Kira Jacobs suggested that committee members give a brief 1-2-minute update from their agency/organization/group at all STTC meetings. This is done at other New England state STTC meetings and it is very interesting and productive.

Meeting was adjourned at 12:45 p.m.